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Attorneys for Matthew Martin

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW MARTIN,

Defendant.

Case No. CR 08-01064-GAF

**DECLARATION OF FRED  
HEATHER IN SUPPORT OF  
MATTHEW MARTIN'S SECOND  
SUPPLEMENTAL BRIEF  
REGARDING FINAL REVOCATION  
OF SUPERVISED  
RELEASE/SENTENCING**

I, Fred D. Heather, declare as follows:

1. I am the appointed Attorney for Defendant Matthew Martin.

2. On Friday, June 3, 2011, I spoke with United States Probation Officer ("USPO"), Amy Young, one of two officers assigned to the STAR program concerning the reasons why the program would not recommend that Matthew Martin participate in the program.

3. Ms. Young stated that after evaluating Mr. Martin, it was determined that because Mr. Martin's abuse consisted primarily of casual marijuana use, it would be counter-productive for him to be in a program with the more hardened drug users in

1 the program. In addition, because Mr. Martin cannot read or write, it would be  
2 difficult for him to keep up with the requirements of the program.

3 I declare under penalty of perjury, under the laws of the United States of  
4 America, that the foregoing is true and correct.

5 EXECUTED on this 9<sup>th</sup> day of June, 2011 at Los Angeles, California.

6  
7  
8 /s/ Fred D. Heather

Fred D. Heather

**PROOF OF SERVICE**  
(CCP § 1013A (3))

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 10100 Santa Monica Blvd., 7<sup>th</sup> Floor, Los Angeles, California 90067.

On June 9, 2011, I served the foregoing document described as  
**DECLARATION OF FRED D. HEATHER IN SUPPORT OF THE  
DEFENDANT'S SECOND SUPPLEMENTAL BRIEF REGARDING FINAL  
REVOCATION OF SUPERVISED RELEASE/SENTENCING** on interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as set forth below:

Max B. Shiner  
Special Assistant United States Attorney  
1500 United States Courthouse  
312 North Spring Street  
Los Angeles, CA 90012

Manuel Ontiveros  
United States Probation Officer  
Probation Office  
11506 Telegraph Suite 203  
Santa Fe Springs, CA 90670

Michael Bradford  
Supervising United States Probation  
Officer  
Probation Office  
11506 Telegraph Suite 203  
Santa Fe Springs, CA 90670

☒ **BY MAIL:** By placing the document(s) listed above in a sealed envelope with first-class postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.

☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

☒ **BY EMAIL** I caused a copy to be transmitted by email to the email address(es) as indicated above.

Executed on June 9, 2011, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ Linda Bennett  
Linda Bennett